

In the District Court of the Second Judicial District in and for Weber County. State of Utah

PLAIN CITY IRRIGATION
COMPANY,

Plaintiffs,

-vs.-

HOOPER IRRIGATION COM-
PANY, et al,

Defendants,

Proposed
Determination
Of
Water Rights
by the
State Engineer

Now comes the State Engineer and respectfully shows the Court:

I.

That under the provisions of Chapter 67, Session Laws of Utah, 1919, the State Engineer is required to make a determination of all rights to the use of water from the Weber River System in the above entitled case.

II.

That the Weber River is a natural stream of water rising in and flowing through Summit, Morgan, Weber and Davis Counties in the State of Utah. It empties into Great Salt Lake in Weber County. The seven principal tributaries of the river are Beaver Creek, Silver Creek and East Canyon Creek from the south and west, and Chalk Creek, Echo Creek, Lost Creek and Ogden River from the north and east. All of the water diverted from the Weber River for irrigation, power, domestic, municipal, mining and miscellaneous purposes is used in the four counties named.

III.

That after full consideration of the statements of claims and surveys, records and files and after a personal examination of the Weber River System the State Engineer has formulated a proposed determination of all rights to the use of water from said system and makes his recommendations to the court regarding the same as hereinafter set forth.

ARRANGEMENT AND INDEX

The rights are arranged in geographical order from the source to the mouth of the said system and at the end of the determination is an alphabetical index list of the names of all corporations, associations and persons that have been made party defendants in this case.

DATE OF PRIORITY AND ACREAGE

The date of priority and acreage each party to this suit is entitled to irrigate as hereinafter set forth was

determined from statements of water users' claims duly filed in this case, from "Weber River Hydrographic Survey Records," from the records of applications to appropriate water from the Weber River System on file in the office of the State Engineer, and from field investigations made by the State Engineer, his deputy, and assistants during the years 1920 to 1923 inclusive.

DUTY OF WATER

The duty of water as hereinafter set forth was determined from reports of water commissioners, duly appointed to distribute the water of said system, from field investigations made under the direction of the State Engineer, from statements of water users' claims duly filed in this case and from the records of the duty of water established by investigation, measurements and distribution of the waters of other river systems in the State of Utah over a period of years, where conditions under which water has been used are similar.

The stream flow records of the Weber River System show comparatively a very large flow in the spring and early summer and a small flow in the late summer and fall. The water users generally over the system have in times past made the practice of diverting somewhat excessive quantities of water onto their lands during the flood water season in order to thoroughly soak up the ground and keep moisture in the ground during the late season when the water supply is insufficient for their needs. This practice is beneficial to the whole river system for the reason that a considerable ground storage is built up which materially increases the normal flow of the river during the latter part of the irrigation season. Such practice would not necessarily, however, be beneficial if the river were properly equalized by storage reservoirs located at various points along the main stream and on its tributaries. Were it possible to equalize the flow of the river system over the entire